

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 MICHAEL ROWE,

Case No. 2:23-cv-00702-RFB-VCF

4 Plaintiff

ORDER

5 v.

(ECF No. 4)

6 CORRECTIONS OFFICER DORIA, et al.,

7 Defendants

8

9 This action began with a civil-rights complaint under 42 U.S.C. § 1983 filed by an
 10 inmate at Clark County Detention Center (“CCDC”). On June 5, 2023, the Court ordered
 11 Plaintiff Michael Rowe to either pay the full \$402 filing fee for a civil action or file a
 12 complete application to proceed *in forma pauperis* by August 4, 2023. (ECF No. 3). That
 13 deadline has not yet expired; but Plaintiff recently filed an application to proceed *in forma*
 14 *pauperis* for non-inmates, stating that he is currently under house arrest. (ECF No. 4).
 15 The Court notes the CCDC inmate database states that Plaintiff is no longer at that facility.

16 The application to proceed *in forma pauperis* is incomplete because it is neither on
 17 this Court’s approved form nor dated and signed under penalty of perjury by Plaintiff.
 18 Moreover, Plaintiff has not filed an updated address with this Court. Nevada Local Rule
 19 of Practice IA 3-1 provides that a “pro se party must immediately file with the court written
 20 notification of any change of mailing address, email address, telephone number, or
 21 facsimile number.” “The notification must include proof of service on each opposing party
 22 or the party’s attorney[,]” where applicable. Nev. Loc. R. IA 3-1. And “[f]ailure to comply
 23 with this rule may result in the dismissal of the action, entry of default judgment, or other
 24 sanctions as deemed appropriate by the court.” *Id.*

25 It is therefore ordered that, on or before August 7, 2023, Plaintiff will file his updated
 26 address with the Clerk of the Court.

27 It is further ordered that the application to proceed *in forma pauperis* for non-
 28 inmates (ECF No. 4) is denied without prejudice.

It is further ordered that, on or before August 7, 2023, Plaintiff will either (1) file a fully complete application to proceed *in forma pauperis* for non-inmates; or (2) pay the full filing fee of \$402.

It is further ordered that if Plaintiff fails to timely comply with this order, this case will be subject to dismissal without prejudice. Dismissal without prejudice allows Plaintiff to refile his case with the Court, under a new case number, when he can comply with LSR 2-1 and either pay the required filing fee or properly apply for *in forma pauperis* status.

It is further ordered that the Clerk of the Court will send Plaintiff Michael Rowe the approved form application to proceed *in forma pauperis* for non-inmates, as well as the document titled information and instructions for filing an *in forma pauperis* application.

DATED THIS 7th day of July 2023.

Carl Becker

UNITED STATES MAGISTRATE JUDGE